

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (ERIE)

| | | |
|------------------------------|---|---|
| IN RE: |) | CASE NO. 24-10166-JCM |
| |) | |
| RANDY JAY SPENCER, |) | Chapter 13 |
| |) | |
| Debtor |) | Docket No. _____ |
| |) | |
| GALAXY FEDERAL CREDIT |) | Related to Docket Nos. 23 and 24 |
| UNION, |) | |
| |) | Meeting of Creditors: June 17, 2024 at 3:00 |
| Movant |) | PM |
| |) | |
| vs. |) | |
| |) | |
| RANDY JAY SPENCER and |) | |
| RONDA J. WINNECOUR, ESQUIRE, |) | |
| TRUSTEE |) | |
| |) | |
| Respondents |) | |

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

AND NOW, this 13th day of May, 2024, comes Galaxy Federal Credit Union (“Galaxy”), by and through its counsel, Knox McLaughlin Gornall & Sennett, P.C., with this Objection to Confirmation of the Debtor’s Chapter 13 Plan dated May 7, 2024, stating as follows:

1. On or about August 31, 2007, the Debtor entered into a Closed-End Note, Disclosure, Loan and Security Agreements (the “Note”) with Galaxy in the original amount of \$93,600. As security for the Note, the Debtor executed a mortgage (the “Mortgage”) in favor of Galaxy granting a mortgage lien on US 322, Franklin, PA 16323 (the “Real Property”), which was filed with the Venango County Recorder’s Office on October 4, 2007 at Instrument No. 2007-006607.
2. On or about May 9, 2024, Venango filed Claim No. 3 with a secured claim in the amount of \$94,576.30.
3. Galaxy objects to confirmation of the Debtor’s Chapter 13 Plan including, but not limited to, on the following grounds:

- a) The Plan is not feasible.
- b) The Plan fails to disclose how the Debtor proposes to pay Galaxy's claim.

WHEREFORE, Galaxy respectfully requests that the Debtor's Chapter 13 Plan be denied confirmation, that Galaxy be granted reasonable attorney fees for having brought this Objection and that Galaxy be granted such other and further relief as is necessary and just.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.
Attorneys for Galaxy Federal Credit Union

BY: /s/ Mark G. Claypool

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| RONDA J. WINNECOUR, ESQUIRE, |) | |
| TRUSTEE |) | |
| |) | |
| Respondents |) | |

CERTIFICATE OF SERVICE

TO PARTIES IN INTEREST:

I, Mark C. Claypool, certify under penalty of perjury that I served the above-captioned pleading, Objection to Chapter 13 Plan, on the parties at the addresses on the attached matrix, on May 13, 2024 by first class, United States mail, postage pre-paid and/or electronic transmission.

BY: /s/ Mark G. Claypool
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SERVICE MATRIX

Via US mail:

Galaxy Federal Credit Union
1313 Liberty Street
Franklin, PA 16323

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301 Smith Drive, Suite 6
Cranberry Township, PA 16066

Ronda J. Winnecour
Suite 3250, USX Tower
600 Grant Street
Pittsburgh, PA 15219

Via CM/ECF

Office of the United States Trustee

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